

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 CERTIFICATE OF SERVICE SUPERSEDING

15 U.S.C. Section 1 (Conspiracy in Restraint of Trade)

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See attachment

E-filing

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court,
give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of
charges previously dismissed
which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

**Name and Office of Person
Furnishing Information on this form** **Melinda L. Haag**

U.S. Attorney Other U.S. Agency

**Name of Assistant U.S.
Attorney (if assigned)** Lidia Maher, Antitrust Division

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Bail Amount:

** Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: _____ Before Judge: _____

Comments:

PENALTY SHEET

Company: SAMSUNG SDI COMPANY, LTD.

Offense Charged: 15 U.S.C. Section 1 (Conspiracy in Restraint of Trade)

Maximum Penalties:

1. A fine in an amount equal to the largest of:
 - A. \$100 million.
 - B. Twice the gross pecuniary gain derived from the crime.
 - C. Twice the gross pecuniary loss caused to the victims of the crime.
2. A term of probation of at least one year but not more than five years.
3. \$400 special assessment.
4. Restitution.

FILED
2011 MAR 18 A 10:00
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
Q

E-filing

1 LIDIA MAHER (CSBN 222253)
2 MAY LEE HEYE (CSBN 209366)
3 TAI S. MILDEN (CSBN 267070)
Antitrust Division
4 U.S. Department of Justice
450 Golden Gate Avenue
Box 36046, Room 10-0101
5 San Francisco, CA 94102
Telephone: (415) 436-6660

6 Attorneys for the United States

7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA

11 0162

) Case No. CR

) INFORMATION

13 v.

) VIOLATION:
14 Title 15, United States Code,
Section 1 (Conspiracy in
Restraint of Trade)

15 SAMSUNG SDI COMPANY, LTD.,

) San Francisco Venue

16) Defendant.

CRB

19 The United States of America, acting through its attorneys, charges:

20 I.

21 DESCRIPTION OF THE OFFENSE

22 1. SAMSUNG SDI COMPANY, LTD. ("defendant") is made the defendant on the
23 charge stated below.

24 2. From at least as early as January 1997, until at least as late as March 2006, the
25 defendant and its coconspirators entered into and engaged in a combination and conspiracy in the
26 United States and elsewhere to suppress and eliminate competition by fixing prices, reducing
27 output, and allocating market shares of color display tubes ("CDTs"). The combination and
28 conspiracy engaged in by the defendant and its coconspirators was in unreasonable restraint of

1 SDI COMPANY, LTD. engaged in the business of producing and selling CDTs to customers in
2 the United States and elsewhere.

3 6. Various corporations and individuals, not made defendants in this Information,
4 participated as coconspirators in the offense charged in this Information and performed acts and
5 made statements in furtherance of it.

6 7. Whenever in this Information reference is made to any act, deed, or transaction of
7 any corporation, the allegation means that the corporation engaged in the act, deed, or transaction
8 by or through its officers, directors, employees, agents, or other representatives while they were
9 actively engaged in the management, direction, control, or transaction of its business or affairs.

III.

TRADE AND COMMERCE

12 8. CDTs are a type of cathode ray tube. Cathode ray tubes consist of evacuated glass
13 envelopes that contain an electron gun and a phosphorescent screen. When electrons strike the
14 screen, light is emitted, creating an image on the screen. CDTs are the specialized cathode ray
15 tubes manufactured for use in computer monitors and other products with similar technological
16 requirements.

17 9. During the period covered by this Information, the defendant and its
18 coconspirators sold and distributed CDTs in a continuous and uninterrupted flow of interstate
19 and foreign trade and commerce to customers located in states or countries other than the states
20 or countries in which the defendant and its coconspirators produced CDTs.

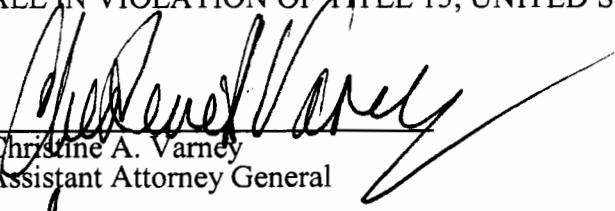
10. The business activities of the defendant and its coconspirators that are the subject
of this Information were within the flow of, and substantially affected, interstate and foreign
trade and commerce.

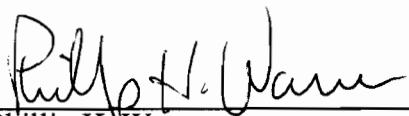
IV.

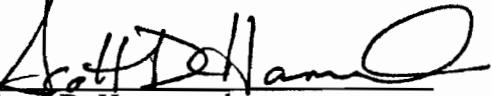
JURISDICTION AND VENUE

26 11. The combination and conspiracy charged in this Information was carried out, in
27 part, in the Northern District of California, within the five years preceding the filing of this
28 Information.

1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

2 
3 Christine A. Varney
4 Assistant Attorney General

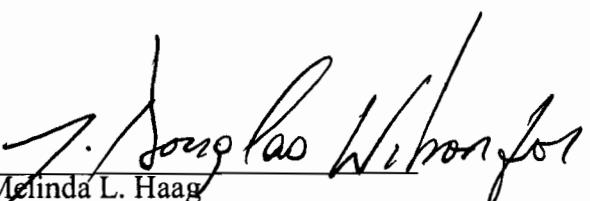
5 
6 Phillip H. Warren
7 Chief, San Francisco Office

8 
9 Scott D. Hammond
10 Deputy Assistant Attorney General

11 
12 Peter K. Huston
13 Assistant Chief, San Francisco Office

14 United States Department of Justice
15 Antitrust Division

16 
17 Lidia Maher
18 May Lee Heye
19 Tai S. Milder
20 Attorneys
21 U.S. Department of Justice
22 Antitrust Division
23 450 Golden Gate Avenue
24 Box 36046, Room 10-0101
25 San Francisco, CA 94102
26 (415) 436-6660

27 
28 Melinda L. Haag
United States Attorney
Northern District of California